

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:05-CR-309 CAS
)	
SCOTT B. WORLEY,)	
)	
Defendant.)	

ORDER

This matter is before the Court on defendant's change of plea proceedings which took place on September 2, 2005. At that time, in open court and on the record, the government made an oral motion to dismiss Count I of the Indictment, which the Court will grant.

The case is also before the Court on various pretrial matters. Pursuant to 28 U.S.C. § 636(b), this Court referred all pretrial matters to United States Magistrate Judge Audrey G. Fleissig. On August 17, 2005, Judge Fleissig filed a Report and Recommendation of United States Magistrate Judge which recommended that defendant's motions to suppress evidence and statements be denied, and that the government's motion for a pretrial determination of the admissibility of statements be granted. No objections were filed to the Magistrate Judge's Report and Recommendation.

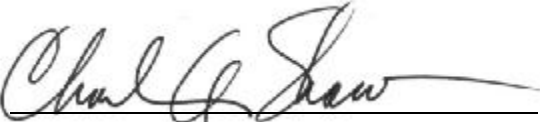
Accordingly,

IT IS HEREBY ORDERED that on the oral motion of the government, Count I of the Indictment is **DISMISSED**.

IT IS FURTHER ORDERED that Report and Recommendation of United States Magistrate Judge is **sustained, adopted** and **incorporated** herein. [Doc. 34]

IT IS FURTHER ORDERED that defendant's motions to suppress evidence and statements are **DENIED**. [Doc. 12, 13]

IT IS FURTHER ORDERED that the government's motion to determine the admissibility of statements is **GRANTED**. [Doc. 6]


CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 2nd day of September, 2005.